

SERBIA

Despite being granted status as a candidate for European Union membership in March, Serbia did little to improve its human rights record in 2012. The situation of ethnic minorities remains precarious, especially for Roma. Journalists still face a hostile environment, despite some progress in bringing perpetrators of attacks to justice. The asylum system remains weak and overburdened. Relations with Kosovo remain tense, exemplified by Kosovo and Serbian police carrying out tit for tat arrests of Serbian election officials and Kosovo Albanian activists in the run-up to the May 6 Serbian elections.

Accountability for War Crimes

There was ongoing progress in domestic war crimes prosecutions. In September, the Belgrade War Crimes Chamber convicted 11 members of the Kosovo Liberation Army's (KLA) "Gnjilane group" to a combined total of 116 years in prison for crimes against civilians, mainly Roma and Ashkali, during the 1999 Kosovo war. In June, the chamber sentenced 14 former members of the Yugoslav People's Army (JNA) to a combined total of 126 years in prison for war crimes against Croat civilians in the Croatian village of Lovas in 1991. The Serbian war crimes prosecutor indicted three people for crimes against civilians during 2012. Sixteen cases were pending at this writing.

However, Chief Prosecutor Serge Brammertz at the International Criminal Tribunal for the former Yugoslavia (ICTY) in a June report criticized Serbia's lack of efforts to uncover the networks that helped war crimes fugitives wanted by the ICTY to evade justice. The Serbian war crimes prosecutor's office subsequently began investigating 13 suspects, including a former high-ranking security official. In his report Brammertz also criticized Serbia's failure to sign a proposed protocol on war crimes cooperation between the Serbian prosecutor and his Bosnian counterpart.

Freedom of Media

Journalists continue to face a hostile environment, although the authorities brought some perpetrators of attacks on journalists to justice.

In February, a cameraman from Studio B television was punched and kicked in the capital Belgrade. The sole assailant was arrested by police and charged in June for the assault. In February, a Belgrade appeals court increased the prison sentences of two men for the 2008 attack on journalist Bosko Brankovic while he reported on a demonstration in support of Radovan Karadzic, the Bosnian Serb wartime president, on trial at the ICTY for genocide and crimes against humanity. The court upheld sentences for two others.

Despite having 24-hour police protection since October 2005, threats continued against Vladimir Mitric, a journalist specializing in uncovering corruption. In September, Mitric was threatened twice by the same person and told not to report on particular individuals. On the second occasion the person making the threats was accompanied by a police officer who had been responsible for Mitric's protection. The person making the threats was charged with minor offences in September, but at this writing the police officer had not been disciplined.

In October, the homes of three journalists were attacked, although it is unclear whether the attacks were linked to their reporting. Unknown assailants lobbed Molotov cocktails at the Belgrade homes of Biljana Vujovic, a presenter at TV Kopernikus, and Damir Dragic, director of Belgrade-based tabloid Informer. No one was injured but Dragic's car was destroyed by the fire. It is unclear whether the incidents were connected to their reporting. An explosive device, which did not detonate, was placed near the home of Tanja Jankovic, an investigative journalist at TV B92 in Vranje, southern Serbia. At this writing, all three incidents were under police investigation.

In July, a Belgrade appeals court sentenced freelance journalist Laszlo Szasz to 120 days in prison for a 2007 commentary criticizing the leader of the Hungarian nationalist 64 Counties Youth Movement. Szasz was released after receiving a presidential pardon on August 3.

In September, Information Minister Bratislav Petkovic announced that the government was preparing legislation guaranteeing freedom and independence of the media. The same

month, the government announced it would establish an international commission to investigate unsolved murders of three prominent journalists more than a decade ago.

Treatment of Minorities

Roma continued to experience harassment, threats, discrimination when accessing education, and problematic forced evictions.

In April, around 1,000 Roma were forcibly evicted from the Belvil informal settlement in Belgrade. Those internally displaced Romani families from Kosovo and those with permanent residency in Belgrade were rehoused in metal containers on the outskirts of Belgrade. Families with residency registered in other parts of Serbia were returned there, including four families returned to Nis, southern Serbia, where they were housed in an abandoned warehouse without access to water or electricity.

On May 1, 15 to 20 masked persons armed with baseball bats approached the Jabucki Rit container settlement occupied by Roma. They shouted racist slogans and drew a swastika on one metal container. At this writing, police had made only one arrest and the case remained under investigation.

There was progress in addressing problems of undocumented persons, many of whom are Roma. A new law adopted in September removes administrative barriers and simplifies registration procedures for birth certificates.

Tension rose in the Vojvodina region, northeast Serbia, between members of the Serb majority and Hungarian minority. In September, approximately 20 Serbs armed with iron rods attacked eight Hungarian children and young adults in the town of Subotica, allegedly because the victims spoke Hungarian. Police were investigating at this writing.

Sexual Orientation and Gender Identity

Serbia made some progress in protecting the rights of lesbian, gay, bisexual, and transgender (LGBT) people. In February, Simo Vladicic was sentenced to a three-month jail term for making threats against LGBT people via a Facebook group called “500,000 Serbs against Gay Pride.” In March, a Belgrade court sentenced Mladen Obradovic, leader of the right-wing extremist movement Obraz, to 10 months in prison for threatening gays and

inciting hatred in the run-up to the 2009 Gay Pride Parade, which was then cancelled on security grounds. In a separate case, Obradovic was sentenced to two years in prison in April 2011 for inciting violence during the 2010 Gay Pride Parade, a sentence that was under appeal at this writing. The Serbian Ministry of Interior banned the October 6 parade and other public gatherings citing security reasons, but took no measures to try to facilitate the parade in face of the threats of violence. Serbian authorities also banned the Belgrade Pride Parade in 2011 due to violent incidents during and after the 2010 event that injured policemen and participants.

Asylum Seekers and Displaced Persons

The Office of the United Nations High Commissioner for Refugees (UNHCR) said in September that the defects in Serbia's asylum system mean that it cannot be considered a safe country of asylum or safe third country and that countries should refrain from sending asylum seekers from other countries back to Serbia. Hungary, Greece, and Turkey are among the countries sending asylum seekers back to Serbia. In the first eight months of 2012, 1,454 asylum seekers were registered in Serbia, down from 2,134 during the same period in 2011.

There were concerns about inadequate capacity in Serbia's two asylum centers, which can only accommodate a total of 280 people. The Asylum Office, which makes initial decisions on asylum claims, has not granted refugee status or temporary protection to any applicant since it assumed responsibility for the asylum procedure in 2008.

There was little progress towards finding a lasting solution for refugees and internally displaced persons (IDPs) from the Balkan wars. According to the UNHCR, in July there were 66,563 refugees in Serbia, most from Croatia, and 228,215 IDPs of whom 210,146 hail from Kosovo. A successful international donors conference in Sarajevo in April raised financial support for the housing needs of 74,000 of the most vulnerable IDPs in Serbia, Bosnia and Herzegovina, Croatia, and Montenegro.

In October, the EU renewed calls on Serbian authorities to stop the influx of asylum seekers, mainly Roma, to EU countries, adding that failure to do so risked losing the right for Serbian citizens to travel to the EU without visas. There were credible reports by

international human rights NGOs throughout 2012 that Serbian border guards prevent persons of perceived Romani origin from crossing the border from Serbia into Hungary.

Key International Actors

On March 1, EU heads of state granted candidate status to Serbia following a February 28 recommendation by the General Affairs Council, which made clear the decision was linked to Serbia's progress on cooperation with Kosovo, including on management of their border, and made no reference to human rights. The European Commission's annual progress report on Serbia stressed the need to strengthen the rule of law, ensure judicial reforms and protect vulnerable groups, particularly Roma. The commission said that Serbia needed to increase efforts to fight corruption and protect freedom of expression in the media.

A joint US and EU Balkans tour led by US Secretary of State Hillary Clinton and EU High Representative Catherine Ashton in late October and early November failed to emphasize the importance of improving human rights protection in Serbia and instead focused on political dialogue between authorities in Belgrade and Pristina.

In June, the European Committee for the Prevention of Torture (CPT) published a report on its 2011 visit to Serbia expressing concerns about allegations of ill-treatment of detainees by law enforcement officials and overcrowding in all prisons it visited.

The UN special rapporteur on human rights defenders expressed concern about allegations of harassment of LGBT human rights defenders in Serbia in her February global report.

In April 2012, Serbia signed the Council of Europe (CoE) Convention on preventing and combating violence against women and domestic violence.